

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

**NELSON P. CHERAMIE**

**\*CIVIL ACTION NO. 09-0376**

**VS.**

**\*JUDGE MELANCON**

**RODI MARINE, LLC., ET AL.**

**\*MAGISTRATE JUDGE HILL**

**ORDER SETTING SANCTION HEARING**

Nicholas F. Larocca, Jr. and Michael John Deblanc, Jr. were Ordered to appear before the undersigned Magistrate Judge on April 5, 2010 at 10:00 a.m. in Courtroom No. 6, to show cause why sanctions should not be imposed against them for failing to comply with this Court's Orders which required the Rule 26(f) Report to be jointly submitted to chambers of the undersigned.<sup>1</sup> [rec. doc. 17]. Neither appeared for the hearing. At the time of the scheduled hearing, the Rule 26(f) Report mandated by the Scheduling Order had not been jointly submitted as required by this Court's Orders.<sup>2</sup> Accordingly, sanctions will be imposed pursuant to F.R.Civ.P. 16(f).

**IT IS HEREBY ORDERED** that **Nicholas F. Larocca, Jr. and Michael John Deblanc, Jr.** shall appear before the undersigned Magistrate Judge on the **20<sup>th</sup> day of April, 2010 at 11:00 a.m.** in Courtroom No. 6 for determination of an appropriate sanction.

**IT IS FURTHER ORDERED** that the instant Order shall be **personally served** by the United States Marshal on Nicholas F. Larocca, Jr., at 607 Brashear Avenue, Morgan City, Louisiana and Michael John Deblanc, Jr., at 3900 North Causeway Boulevard, Suite 1060, Metairie, Louisiana, and

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<sup>1</sup>The Rule 26(f) Report mandated by the Scheduling Order was due in the undersigned's office on November 5, 2009. [rec. doc. 13]. When that Report was not submitted, on January 29, 2010, this court issued a Notice of Failure to Comply, requiring the Rule 26(f) Report to be jointly submitted to chambers of the undersigned within ten (10) days of the receipt of the Notice. Counsel were notified that a failure to comply with that order would warrant the imposition of the sanctions authorized by F.R.Civ.P. 16(f). [rec. doc. 16].

<sup>2</sup>The Report was emailed to chambers at 3:48 p.m. on April 5, 2010.

that a return of service be filed by the Marshal in the record.

Signed at Lafayette, Louisiana on April 9, 2010.

  
C. Michael Hill  
C. MICHAEL HILL  
UNITED STATES MAGISTRATE JUDGE